

**RECEIVED
CENTRAL FAX CENTER**

FEB 24 2005

Our Docket No: 42P12237

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Durant, R.

Examiner: Ton, A.

Application No: 09/866,505

Art Unit: 2661

Filed: May 24, 2001

For: Methods and Apparatus for Remote
Metering

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 1, 2004, Applicant respectfully requests the Examiner to enter the following amendment and to consider the following remark.

FIRST CLASS CERTIFICATE OF MAILING	
I hereby certify that I am causing the above-referenced correspondence to be deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and that this paper or fee has been addressed to the Commissioner for Patents, Alexandria, VA 22313	
Date of Deposit:	<u>2/24/05</u>
Name of Person Mailing Correspondence:	<u>April Piepenburg</u>
<u>April Piepenburg</u> Signature	<u>2/24/05</u> Date

Attorney Docket No. 42P12237
Application No. 09/866,505

1

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (303) 740-1980

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12400 WILSHIRE BOULEVARD, 7TH FLOOR
LOS ANGELES, CA 90025

FACSIMILE: (303) 740-6962

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CENTRAL FAX CENTER****FACSIMILE COVER SHEET****FEB 24 2005**

Deliver to: Ton, A Art Group: 2661
Company Name: USPTO
Facsimile No.: 703-872-9306 Date: February 24, 2005
From: Gordon R. Lindeen III, Reg. No. 33,192
Our Docket No.: 42390P12237 Number of pages including this sheet.
Application: 09/866,505 Filing Date: 5/24/2001

SubjectRemarks

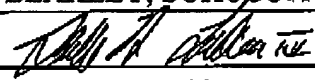
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CENTRAL FAX CENTER

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application No.	09/866,505	
	Filing Date	May 24, 2001 FEB 24 2005	
	First Named Inventor	Xircom, Inc.	
	Art Unit	2661	
	Examiner Name	Ton, A.	
Total Number of Pages in This Submission	17	Attorney Docket Number	42390P12237

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Gordon R. Lindeen III, Reg. No. 33,192 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	February 24, 2005

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	April Piepenburg		
Signature		Date	2/24/05

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 06/04/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

Complete if Known

Application Number **09/866,505**
 Filing Date **May 24, 2001**
 First Named Inventor **Xircom, Inc.**
 Examiner Name **Ton, A.**
 Art Unit **2661**
 Attorney Docket No. **42390PT2237**

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) **0.00**

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: **02-2666** Deposit Account Name: **Blakely, Sokoloff, Taylor & Zafman LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) ☐ Credit any overpayments
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
27	27	0	\$0.00
Independent Claims	5	5	\$0.00
Multiple Dependent			

Large Entity

Fee Code	Fee (\$)
1202	50
1201	200
1203	360
1204	300
1205	300

Small Entity

Fee Code	Fee (\$)
2202	25
2201	100
2203	180
2204	150
2205	150

Fee Description

Claims in excess of 20
 Independent claims in excess of 3
 Multiple Dependent claim, if not paid
 *Release independent claims over original patent
 **Reissue claims in excess of 20 and over original patent

*or number previously paid, if greater. For Reissues, see below

SUBTOTAL (1) (\$) **0.00**

2. ADDITIONAL FEES

Large Entity

Fee Code	Fee (\$)
1051	130
1052	50
2053	130
1251	120
1252	450
1253	1,020
1254	1,590
1255	2,150
1401	500
1402	500
1403	1,000
1451	1,510
1460	130
1807	50
1808	180
1809	790
1810	790

Small Entity

Fee Code	Fee (\$)
2061	65
2062	25
2053	130
2251	60
2252	225
2253	610
2254	795
2255	1,080
2401	250
2402	250
2403	600
2451	1,510
2460	130
1807	50
1808	180
1809	355
2810	395

Fee Description

Surcharge - late filing fee or oath
 Surcharge - late provisional filing fee or cover sheet.
 Non-English specification
 Extension for reply within first month
 Extension for reply within second month
 Extension for reply within third month
 Extension for reply within fourth month
 Extension for reply within fifth month
 Notice of Appeal
 Filing a brief in support of an appeal
 Request for oral hearing
 Petition to institute a public use proceeding
 Petitions to the Commissioner
 Processing fee under 37 CFR 1.17(a)
 Submission of Information Disclosure Sum.
 Filing a submission after final rejection (37 CFR § 1.129(a))
 For each additional invention to be examined (37 CFR § 1.129(b))

Fee Paid

Other fee (specify) _____

SUBTOTAL (2)

(S)

SUBMITTED BY

Name (Print/Type) **Gordon R. Lindeen III**

Registration No.
(Attorney/Agent)

33,192

Telephone

(303) 740-1980

Signature

Gordon R. Lindeen III

Date

02/24/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 12/16/2004.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2005		<i>Patent fees are subject to annual revision.</i>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Complete if Known	
		Application Number	09/866,505
		Filing Date	May 24, 2001
		First Named Inventor	Xircom, Inc.
		Examiner Name	Ton, A.
		Art Unit	2661
TOTAL AMOUNT OF PAYMENT (\$)		0.00	
		Attorney Docket No. 42390PI2237	

METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) ☐ Credit any overpayments
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION**1. EXTRA CLAIM FEES**

Total Claims	27	-	27	=	0	x	50.00	=	\$0.00
Independent Claims	5	-	5	=	0	x	200.00	=	\$0.00
Multiple Dependent									

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent claim, if not paid
1204	300	2204	150	**Reissue independent claims over original patent
1205	300	2205	150	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (1)

(\$)

0.00

*or number previously paid, if greater. For Reissues, see below

2. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt.	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify)

SUBTOTAL (2)

(\$)

SUBMITTED BYName (Print/Type) Gordon R. Lindeen IIIRegistration No.
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Date

02/24/05

Based on PTO/58/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wrt) 12/15/2004.
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